



AL 906

**F.C.C./Undue burden for closed captioning**

I tried to read the requirements for exemption and as I am sure you are aware, no normal human being could possibly understand this! In brief I have a nationally syndicated Garden show Bloomin in the Garden and unfortunately I am unable to get ANY large advertisers due to the minimal coverage. The additional \$150.00 it costs me to close captioning is going to be the straw that breaks the camels back. I am debating just dropping the show due to a lack of funds. I presently receive 650.00 a week in infomercial money and it costs me \$550.00 in production fees to reedit my old shows ( I cannot afford to shoot any new shows). If I need to close caption I will be losing money each week and I hope you can understand that this would be a poor business decision. I would appreciate any help you might be willing to offer.

Thank You

George Newman  
Bloomin in the Garden  
5540 Lake Osborne Drive  
Lake Worth Florida 33461  
561 547 5540

COMUS MARYLAND, LAKEWORTH FLORIDA, WHITEFISH MONTANA

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FEB 23 2006  
FCC - MAILROOM



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COMUS MARYLAND, LAKEWORTH FLORIDA, WHITEFISH MONTANA



CGB-CC-0440

Federal Communications Commission

I am requesting a waiver for the closed captioning of my show Bloomin in the Garden  
(case identifier CGB-CC-04400)

This is an undue burden for the following reasons

1. We have a very limited syndication and therefore have been unable to secure any significant advertisers
2. The only revenue we receive is from infomercials and they range from \$350/show to \$750/show
3. We are shooting a limited number of new shows ( no more than three) and due to the lack of revenue we are reediting old shows. The cost to reedit is appox. \$450.00/show and the digital feed thru Pan Am is \$325/show ( we were forced to drop 9 stations that only could receive analogue feed, which cost us \$450/show)
4. At this time we are almost breaking even. I have spent appox \$350.000 to get to this point and cannot afford to continually operate in the red ( enclosed is last years schedule C).
5. The cost for me to close caption is \$200/show, and this \$9,600/year is an undue Burden.

If this request is unacceptable, would you consider a waiver for one year?. If I am unable to secure an advertiser by next year I will drop the show.

Alternatives to close captioning would be the fact that our "garden show" is mostly visual and there is not significant dialogue.



George Newman Pres.

**Part III Cost of Goods Sold** (see page C-6)

|    |   |                                 |  |   |
|----|---|---------------------------------|--|---|
| 33 | Method(s) used to value closing inventory:  | a <input type="checkbox"/> Cost | b <input type="checkbox"/> Lower of cost or market | c <input type="checkbox"/> Other (attach explanation) |
| 34 | Was there any change in determining quantities, costs, or valuations between opening and closing inventory? If "Yes," attach explanation <input type="checkbox"/> Yes <input type="checkbox"/> No |                                 |  |   |
| 35 | Inventory at beginning of year. If different from last year's closing inventory, attach explanation   | 35                              |  |   |
| 36 | Purchases less cost of items withdrawn for personal use   | 36                              |  |   |
| 37 | Cost of labor. Do not include any amounts paid to yourself  | 37                              |  |   |
| 38 | Materials and supplies  | 38                              |  |   |
| 39 | Other costs   | 39                              |  |   |
| 40 | Add lines 35 through 39   | 40                              |  |   |
| 41 | Inventory at end of year  | 41                              |  |   |
| 42 | Cost of goods sold. Subtract line 41 from line 40. Enter the result here and on page 1, line 4  | 42                              |  |   |

**Part IV Information on Your Vehicle.** Complete this part **only** if you are claiming car or truck expenses on line 9 and are not required to file Form 4562 for this business. See the instructions for line 13 on page C-4 to find out if you must file Form 4562.

|      |   |   |           |  |
|------|---|---|-----------|--|
| 43   | When did you place your vehicle in service for business purposes? (month, day, year) ▶                                | / | /         |  |
| 44   | Of the total number of miles you drove your vehicle during 2004, enter the number of miles you used your vehicle for: |   |           |  |
| a    | Business  | b | Commuting | c Other  |
| 45   | Do you (or your spouse) have another vehicle available for personal use?  |   |           | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 46   | Was your vehicle available for personal use during off-duty hours?  |   |           | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 47 a | Do you have evidence to support your deduction?   |   |           | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| b    | If "Yes," is the evidence written?  |   |           | <input type="checkbox"/> Yes <input type="checkbox"/> No |

**Part V Other Expenses.** List below business expenses not included on lines 8-26 or line 30.

|  |             |
|--|-------------|
| <b>BANK FEES</b>   | 63.         |
| <b>TELEVISION SHOW PRODUCTION FEES</b>                     | 64,923.     |
| <b>TELEPHONE</b>   | 2,589.      |
| <b>PROFESSIONAL FEES</b>                                   | 2,200.      |
| <b>MODELS FOR SHOW</b>                                     | 3,000.      |
| <b>BUSINESS MANAGER</b>                                    | 17,500.     |
| <b>PRINTING AND REPRODUCTION</b>                           | 7,536.      |
| <b>WEB SITE MAINTENANCE</b>                                | 3,000.      |
| <b>AGENCY MANAGEMENT CONTRACTS</b>                         | 221,100.    |
| 48 Total other expenses. Enter here and on page 1, line 27 | 48 321,911. |

Mar 15 05

AFFIDAVIT

I George S Newman do hereby confirm that all the forms and statements enclosed are true and correct



George S Newman

Signed and Sworn before me  
this 15<sup>th</sup> day of March 2006  
Maryland Driver Lic. provided as I.D.

